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6 ||| Attorneys for Defendant  
NVIDIA CORPORATION

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

EDNA L. GALLEGOS, on behalf of herself  
and all others similarly situated.

**Plaintiff,**

V.

NVIDIA CORPORATION; ATI  
TECHNOLOGIES, INC.; and  
ADVANCED MICRO DEVICES, INC.,

## Defendants.

Case No. C-07-00857 WHA

## **CLASS ACTION**

**STIPULATED REQUEST TO CONTINUE  
CERTAIN PRE-INITIAL CASE  
MANAGEMENT CONFERENCE  
DEADLINES; [PROPOSED] ORDER**

## **JURY TRIAL DEMANDED**

Plaintiff Edna L. Gallegos (“Plaintiff”) and Defendants Nvidia Corporation (“Nvidia”), ATI Technologies ULC and Advanced Micro Devices, Inc. (collectively “AMD”) hereby jointly request the Court to continue certain deadlines related to the initial case management conference in this action as follows.

23       1. On February 9, 2007, Plaintiff filed the complaint in this action (“Complaint”),  
24 which alleges claims under state antitrust and consumer protection laws. Plaintiff styled the  
25 Complaint as a putative class action.

26        2. As of the date of this request, at least 49 other complaints have been filed in this  
27 and other judicial districts. All of these complaints also allege federal and/or state law antitrust

1 claims against Nvidia and AMD and are styled as putative class actions. At least 9 of these other  
 2 complaints are currently pending before this Court.

3       3. On December 8, 2006, the plaintiffs in some of the other actions pending in this  
 4 district filed a motion before the Judicial Panel on Multidistrict Litigation (“JPML” or “Panel”) to  
 5 transfer and consolidate in this judicial district all existing and subsequently filed antitrust actions  
 6 related to the claims alleged in the Complaint (“JPML Motion”). The JPML Motion was granted  
 7 on April 18, 2007, and the Panel ordered that the consolidated actions proceed before this Court.

8       4. Plaintiff and Defendants stipulated on February 23, 2007 to extend the time for  
 9 Defendants to respond to the Complaint to 30 days after (1) the order resolving the JPML Motion  
 10 and (2) the filing and service of any subsequent consolidated complaint, without prejudice to the  
 11 right of Nvidia or AMD to seek additional time to answer or otherwise respond to the Complaint  
 12 for good cause shown.

13       5. On February 9, 2007, this Court entered a Case Management Scheduling Order  
 14 setting deadlines pursuant Federal Rules of Civil Procedure 26, Local Rule 16, and ADR Local  
 15 Rule 3.5. Some of these deadlines differ from the deadlines imposed in the 9 other actions  
 16 currently pending before this Court.

17       6. Continuing the dates set forth in the February 9, 2007 Case Management  
 18 Scheduling Order to match those in the other cases pending before this Court, would avoid the  
 19 expenditure of unnecessary resources and be convenient for the parties, including Plaintiff.

20       7. Accordingly, the parties hereby stipulate to and respectfully request that the Court  
 21 order a continuance of certain of the dates set forth in the February 9, 2007 Case Management  
 22 Scheduling Order. The affected dates include the deadlines to: (1) meet and confer re: initial  
 23 disclosures, early settlement, ADR process selection, and discovery plan (currently April 24,  
 24 2007); (2) file joint ADR documents (currently April 24, 2007); and (3) complete initial  
 25 disclosures and file the Case Management Statement and Rule 26(f) Report (currently May 8,  
 26 2007). At this time, the parties are not requesting a continuance of the Initial Case Management  
 27 Conference, currently set for May 24, 2007, as that date already matches the other actions  
 28 pending in this Court.

1       8. The parties request that the Court continue the above referenced deadlines as  
2 follows: (1) meet and confer re: initial disclosures, early settlement, ADR process selection, and  
3 discovery plan – May 3, 2007; (2) file joint ADR documents – May 3, 2007; (3) complete initial  
4 disclosures and file the Case Management Statement and Rule 26(f) Report – May 17, 2007.  
5 Such a continuance will harmonize the schedule in this case with that of the other 9 cases  
6 currently pending before this Court.

7           9.       Except as described in Paragraph 4, the parties have sought no previous  
8 modification of the timing of any event or deadline set by the Court.

Respectfully submitted,

Dated: April 20, 2007

COOLEY GODWARD KRONISH LLP

By: \_\_\_\_\_ /s/ James Donato  
James Donato (146140)

Attorneys for Defendant  
NVIDIA CORPORATION

Dated: April 20, 2007

MURRAY & HOWARD LLP

16 || Dated: April 20, 2007

LATHAM & WATKINS LLP

18 By: /s/ Charles H. Samel  
19 Charles H. Samel (182019)

20 Attorneys for Defendants  
21 ATI TECHNOLOGIES ULC and  
ADVANCED MICRO DEVICES, INC.

By: \_\_\_\_\_ /s/ Scott J. Yundt  
Scott J. Yundt (242595)

Attorneys for Plaintiff  
EDNA L. GALLEGOS

1 FILER'S ATTESTATION:

2 Pursuant to General Order No. 45, § X(B) regarding signatures, I attest under penalty of  
3 perjury that the concurrence in the filing of this document has been obtained from its signatories.

4 Dated: April 20, 2007

5 By: /s/ James Donato  
James Donato

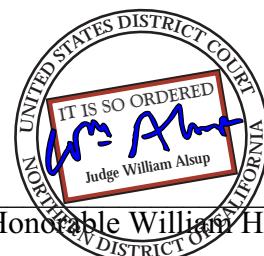
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**PROPOSED ORDER**

Pursuant to the stipulation of the parties, certain dates set forth in the February 9, 2007 Case Management Scheduling Order are hereby continued as follows: (1) the deadline to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan shall be May 3, 2007; (2) the deadline to file joint ADR documents shall be May 3, 2007; and (3) the deadline to complete initial disclosures and file the Case Management Statement and Rule 26(f) Report shall be May 17, 2007.

Pursuant to stipulation, it is so ordered.

Dated: April 23, 2007



The Honorable William H. Alsup